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MINUTES

Montana Fish and Wildlife Commission Meeting

Montana WILD – 2668 Broadwater, Helena, MT

November 17, 2016

Commission Members Present: Dan Vermillion, Chairman, Richard Stuker Vice-Chairman, Gary Wolfe and Matt Tourtlotte (via video)

Fish, Wildlife & Parks Staff Present: M. Jeff Hagener, Director and FWP Staff.

Guests: November 17, 2016 - See Commission file folder for sign-in sheet.

Topics of Discussion:

1. Call to Order and Pledge of Allegiance
2. Approval of Minutes of the October 13, 2016 Commission Meeting
3. Approval of Commission Expenses
4. Commission Reports
5. Director's Report
6. Classification of Exotic Wildlife ARM – Final

Callitrichidae (Primate family including Tamarins and Marmosets) – Prohibited

Petitions Denied – Discussion Only – No Decisions Will Be Made - No Public Comment Will Be taken

7. Petition for No-wake Zone - Woods Bay - Flathead Lake (R1) - Informational
8. Petition on Barges/House Boats on Flathead Lake (R1) – Informational

Petitions to be Considered – Decision To Move Forward With Rule Making Will Be Discussed –Public Comment Will Be Taken

9. Petition for No-wake Zone - Cromwell Channel - Flathead Lake (R1) – Final
10. Petition for No-wake Zone - Madison River Between Ennis Lake and Madison Dam (R3) – Final
11. Petition for No-wake Zone - Duck Creek Bay - Fort Peck Reservoir (R6) – Final
12. Petition for No-wake Zone - Bay of Park Grove - Fort Peck Dredge Cuts (R6) – Final
13. Fleecer Wildlife Management Area Addition (R3) – Endorsement
14. Lost River Wildlife Management Area Addition (R6) – Final
15. Bighorn Sheep Health Presentation – Informational
16. Bighorn Sheep Transfer (From HD 482, Missouri Breaks to the south of the Beartooth Wildlife Management Area) (R4) - Endorsement
17. Public Comment – For Issues Not On This Agenda and Adjournment

1. Call to Order - Pledge of Allegiance

Chairman Vermillion called the meeting to order at 8:06 a.m. and led the Pledge of Allegiance.

Chairman Vermillion stated Commissioner Tourtlotte will join the meeting shortly.

2. Approval of Minutes of the October 13, 2016 Commission Meeting

Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion to approve the minutes of the October 13, 2016 Commission Meeting. Motion passed.

3. Approval of Commission Expenses

Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion to approve the October 2016 Commission expenses. Motion passed.

4. Commission Reports

Commissioner Wolfe reported Region 2 is still having game management hunts on agricultural crops; as a result of the shoulder seasons, there have been less game management hunts this year. Received calls on the house boat agenda item. Frustrated with archers who are compelled to hunt the fringes of residential neighborhoods; this type of behavior could lead to ballot initiative; hunters need to be conscious and aware of how their actions are viewed by non-hunters.

Vice-Chairman Stuker reported hunter numbers are down; most hunters are from out-of-state. Attended the Parks Land Reconciliation meeting; discussed West Shore property; looking at 7 – 8 land transfer possibilities; asking for legal opinions; has concerns with how it is going, hopefully will work out. Received calls on house boat agenda item. Spoke with an archer he had visited with in July who was against shoulder seasons; archers feel the early shoulder season moved the elk onto public land and there were a lot more opportunities this year than in the past; he is now reconsidering how he feels about shoulder seasons; seems to be working how we hoped.

Chairman Vermillion reported he has received several calls asking if the Department will extend big game season; slow harvest, hunter numbers are down; stated he would talk with the Department about extensions and how it would interchange with shoulder seasons; fishing has been great. Attended TIP-MONT meeting. Received several calls from concerned citizens about the renewed push for the transfer of public lands into private hands; need to be vigilant on this issue.

5. Director's Report

Director Hagener reported it has been an average-below average hunting season; hunter numbers are down and harvest has not been great; game damage hunts are down substantially. Will attend the Sage Grouse Over-Site Team meeting on Friday; Regional offices reported sage grouse populations are up and looking good; a lot going on at the national level. The Yellowstone Ecosystem Subcommittee passed the 2016 draft Conservation Strategy for the Grizzly Bears (18-1); key component to moving forward with the delisting rule. Department is getting more reports of drones being used during hunting season; have heard from legislators stating they want to put legislation into place. Numerous legislators have been in/out of the office; discussions on houseboat issue on Flathead Lake; confusive issue. Setting Regional Citizen Advisory Council (CAC) meetings and inviting legislators to attend to discuss issues the Department is promoting and other issues that may be coming.

Eileen Ryce, Fisheries Administrator explained water samples from Tiber Reservoir have tested positive for multiple larval stages of invasive mussels and tests from Canyon Ferry Reservoir showing "suspect". Around the dams and shoreline have been surveyed; no adult mussels have been found; dogs have been out and alerted to some scent; have snorkeled Canyon Ferry in the silos area; divers will be going into Canyon Ferry waters on Monday and Tuesday. A response team has been formed with Fish, Wildlife and Parks (FWP), Department of Natural Resources and Conservation (DNRC), Montana Invasive Species Council (MISC) and the Bureau of Reclamation (BOR); team is meeting regularly and a plan is being formed; will have a plan by spring for monitoring and containment.

Chairman Vermillion and Ryce discussed threats posed by the mussels and the PKD fish outbreak.

Director Hagener explained at the October 13, 2016 meeting, the Fish and Wildlife Commission approved the plan to accept a 193-acre donation of property from DNRC at the Harrison Lake Fishing Access Site (FAS) as part of the transfer of the Willow Creek Project to the Willow Creek Water Users Association (WCWUA). Since that time, WCWUA has expressed concerns to FWP this donated acreage would span the entire bed of the reservoir (from shoreline to shoreline), it could, in theory, create opportunity for FWP to interfere with Project operation and make it difficult for the WCWUA to obtain financing for project improvements. To remedy this concern, FWP has removed this donation from the November 21 Land Board agenda and rescheduled it for December 19. In the interim, FWP will work with the WCWUA to create a Memorandum of Understanding (MOU) that will delineate a portion of the 193-acre parcel to be sold to WCWUA once the donation from DNRC to FWP occurs. The exact dimensions of this portion are yet to be determined, but to satisfy both parties it must sufficiently pull back the eastern boundary of the FWP parcel so that it does not occupy the full width of the reservoir, but still occupy enough of the bed of the reservoir that public access will be ensured at all pool levels. The MOU will also include: a requirement that DNRC reserve a flooding easement in favor of the WCWUA on land transferred to FWP and a clarification that the transfer creates no right of management for FWP; a commitment by WCWUA to allow FWP to continue desired reservoir level and discharge monitoring, fisheries monitoring, etc.; and a commitment by both parties to work toward a drought response agreement. FWP will endeavor to have an MOU completed before the December 19 Land Board meeting. If there is no signed MOU, FWP will proceed to pursue the land donation and will work after that time to complete the MOU.

Director Hagener discussed the 2017 Commission calendar and moving the meetings to every-other-month; final decision will be made in December.

Chairman Vermillion stated Commissioners Wolfe and Tourtlotte along with himself, signed an endorsement for new Montana Wild and Scenic River designations that will be sent to Montana's Congressional leaders.

6. Classification of Exotic Wildlife ARM – Final

Callitrichidae (Primate family including Tamarins and Marmosets) – Prohibited

Mike Lee, Commercial Wildlife Permit Manager, explained at the August 11 Commission meeting the Department brought forward a petition from the Classification Review Committee (CRC) to classify the common Marmoset monkey, an increasingly popular pet in many parts of the world and in some states; many western states have prohibited the Marmoset monkey from any type of personal possession. The committee conducted its own independent research and decided to include the entire family of primates including Marmosets and Tamarins. The CRC would appreciate the Commission's acceptance to include this family of primates to the prohibited species list by amending Administrative Rules of Montana (ARM) 12.6.2215. Public comment was solicited and a public hearing was held; seven comments were received; four in support and three opposed; no one attended the public hearing. The Department recommends the Commission adopt the amendments as proposed and accept the additional amendments to address the issue brought up during public comment. The additional amendments are needed to reflect a taxonomic change that occurred after classification of Cebidae in 2006,

which were classified by the Commission as prohibited in 2006 when they were all in the family Cebidae, and now need to be included on the prohibited list under their new family names.

Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Fish and Wildlife Commission amend ARM 12.6.2215 as initially proposed, and also with the Department's additional amendments addressing the taxonomic changes in 2009.

Chairman Vermillion asked for public comment.

Action on Motion: Motion passed.

Petitions Denied – Discussion Only – No Decisions Will Be Made - No Public Comment Will Be taken

7. Petition for No-Wake Zone - Woods Bay - Flathead Lake (R1) – Informational

Tom Flowers, Chief of Law Enforcement explained Craig Crawford submitted a petition requesting to amend ARM 12.11.2205 to include the designation of a no-wake zone in Woods Bay on Flathead Lake. The petition recognized a no-wake zone already exists under ARM 12.11.115, but asserted it is increasingly ignored and therefore requested to list the zone specifically under ARM 12.11.2205. Since all rules are equally enforceable, it is unnecessary to duplicate the designation in another rule. The zone request already exists under ARM 12.11.115, and is enforceable, the petition was denied.

Chairman Vermillion asked if there is more that can be done in this area.

Captain Lee Anderson, Region 1 Enforcement stated he spoke with the homeowner and asked him to get together with others in the area to place buoys that mark the 200 foot no-wake zone area; believes this will alleviate most of the problem.

Commissioner Tourtlotte joined the meeting

8. Petition on Barges/House Boats on Flathead Lake (R1) – Informational

Tom Flowers, Chief of Law Enforcement explained James Thompson submitted a petition requesting regulation of barges/house boats on Flathead Lake, and regulate the amount of time the barges/house boats may be anchored in the same location. Under current law, the Commission does not have the authority to make rules to regulate floating houses or limit the amount of time a boat may be anchored in water. Pursuant to authority granted by specific statutes, the Commission can make rules regulating noise and other restrictions on boating, but the changes in this petition involve the larger issue of individuals anchoring boats, barges, and house boats, and commercial activities regarding some of these house boats, for which the Commission does not have regulatory authority.

Bob Balding, Lakeside, concerned about pollution on Flathead Lake; no regulations on sewage and length of stay; infringing on his right to enjoy the waters; regulations need to be in place.

Chairman Vermillion asked the commenters to state other avenues of communication they have had with other agencies.

Rex Boller, Lakeside, boats anchor for free; pay no fees or real estate taxes, violates property owner's views and enjoyment; creates safety and sanitation issues; contacted Senator Blasdel, he asked a legislative analyst to come up with possible recommendations to correct this issue.

Darcy Lark, Lakeside, son (Benjamin) purchased the houseboat in question in January; boat does have a small engine and is a licensed watercraft; Department of Environment Quality (DEQ) has inspected the boat and did not demand it be pumped; Benjamin volunteered the boat would be pumped at the end of summer and provided DEQ validation it had been done; understands the complex issue.

Tony Hill, Columbia Falls, representing Tony Price (other houseboat in question); all requests have been conformed including Coast Guard and DEQ inspections; has always been in compliance; generates a lot of interest; has not been a problem for 30 years.

Commissioner Wolfe stated Mr. Thompson contacted him several months ago; the petitioner contacted county commissioners, DEQ, DNRC and FWP, and all stated they have no regulatory authority; recommended he contact the local legislators to see if there is any interest in the legislature, through statute, assigning the responsibility to an agency; concerned with houseboats being permanently anchored, should have a similar type of regulation as there is with public camping. (Mr. Thompson apologized for not being able to attend the meeting; he is out of the state).

Chairman Vermillion stated it is a difficult balancing act between the public interest in using the lake and protecting the private property around the lake; situation is not going away, will continue to grow. The Commission/Department is willing to manage the issue, but need the authority to do so.

Director Hagener stated he spoke with different legislators in the past few weeks; all have different opinions on what should be done.

Flowers stated Captain Anderson has reached out to other agencies to discuss this issue; not sure what direction to go at this time.

Petitions to be Considered – Decision To Move Forward With Rule Making Will Be Discussed –Public Comment Will Be Taken

9. Petition for No-wake Zone - Cromwell Channel - Flathead Lake (R1) – Final

Tom Flowers, Chief of Law Enforcement explained Wayne Hebert submitted a petition requesting an amendment to ARM 12.11.2205 for a no-wake restriction in the Cromwell Channel located on Flathead Lake. The proposal restricts the Cromwell Channel to no-wake motorized boating at its narrowest point approximately 800-feet in length. The petition states the regulation is necessary to address safety concerns, shoreline erosion and property damage, non-motorized user conflicts, and ferry and wildlife crossing conflicts. Letters of support from adjacent landowners were submitted with the petition, including a letter from the Shoreline Board Chairman, of the Confederated Salish and Kootenai (CSKT) Tribe. The public has not had an opportunity to comment on the petition. If approved, rulemaking process would be initiated. The Commission is required to either deny the petition or initiate rulemaking.

Action: Commissioner Wolfe moved and Vice-Chairman Stuker seconded the motion that the Commission initiate rulemaking for the petition submitted by Wayne Hebert requesting to amend ARM 12.11.2205 limiting the Cromwell Channel to a no-wake zone at its narrowest section, approximately 800-feet in length or as buoyed.

Chairman Vermillion asked for public comment.

Wayne Hebert, Petitioner, explained his reasoning for the petition.

Chairman Vermillion stated motorized use in waterways is increasing; need to figure out a way to be proactive for all uses on the waterways; supports petition.

Vice-Chairman Stuker stated he agrees with Chairman Vermillion's comments; conflicts are going to get worse; opposed to any additional regulations that restrict the use of the resources in Montana for any segment of the population, unless it is a safety issue; will always vote in favor of a proposal that has safety components which protect the citizens; in favor of the petition.

Action on Motion: Motion passed.

10. Petition for No-wake Zone - Madison River Between Ennis Lake and Madison Dam (R3) – Final

Tom Flowers, Chief of Law Enforcement explained Jonathan and Marianne Klein submitted a petition for a no-wake restriction on a 1.3-mile section of the Madison River between The North Ennis Lake Bridge and the Madison Dam. The proposal restricts the Madison River to no-wake motorized boating from the North Ennis Lake Bridge at the northeast end of Ennis Lake to the Madison Dam. Petitioners feel this regulation is necessary to address social desires for all varieties of water-based recreation users and to address safety concerns through the narrow canyon, stating in their petition "there have been at least two fatalities in past years involving high-speed recreation." The public has not had an opportunity to review or comment on the petition. For the interests of public health, public safety, and public welfare, the Department recommends the Commission initiate rulemaking on the petition. Under ARM 12.11.3506, the waters 600 feet above the Madison Dam are already closed to all public occupation. To avoid confusion and conflict with this rule, the Department recommends the proposed no-wake zone start at the North Ennis Lake Bridge and end 600-feet above the Madison Dam, where the no occupation zone starts.

Action: Commissioner Wolfe moved and Vice-Chairman Stuker seconded the motion that the Commission initiate rulemaking for the petition submitted by Jonathan and Marianne Klein requesting an administrative rule regarding limiting the Madison River to a no-wake zone from the North Ennis Lake Bridge to 600-feet above the Madison Dam.

Chairman Vermillion asked for public comment.

Jonathan Klein, Petitioner, explained his reasoning for his petition.

Action on Motion: Motion passed.

11. Petition for No-wake Zone - Duck Creek Bay - Fort Peck Reservoir (R6) – Final

Tom Flowers, Chief of Law Enforcement explained Tim Jennings submitted a petition for a no-wake restriction in the Duck Creek Bay located on Fort Peck Reservoir. The proposal restricts the Duck Creek Bay to no-wake motorized boating starting near the mouth of the bay. The petition references concern for safety and property damage, as the area has a boat ramp and camping area, and is becoming increasingly more popular. The public has not had an opportunity to review or comment on the petition. If approved, rulemaking processes would be initiated that would include public involvement. The Commission is required to either deny the petition or initiate rulemaking. The Department recommends the Commission initiate rule making on the petition, but recommends that the wording describing the no-wake zone be changed to "Duck Creek Bay as Buoyed".

Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Commission initiate rulemaking on the petition submitted by Tim Jennings requesting an administrative rule regarding limiting the Duck Creek Bay to a no-wake zone as buoyed.

Chairman Vermillion asked for public comment.

Tim Jennings, Petitioner, explained his reasoning for his petition.

Action on Motion: Motion passed.

12. Petition for No-wake Zone - Bay of Park Grove - Fort Peck Dredge Cuts (R6) – Final

Tom Flowers, Chief of Law Enforcement explained Jim Bowker submitted a petition for a no-wake restriction in the Bay of Park Grove located at the Fort Peck Dredge Cuts; his proposal is to restrict the Bay of Park Grove to no-wake motorized boating 75-feet out from the shoreline. The petition references safety concerns, disruption of both animal activity and non-motorized user activity, and shoreline damage. The public has not had an opportunity to review or comment on the petition. If approved, rulemaking processes would be initiated. The Department recommends the Commission deny the petition; FWP has not received nor documented any complaints or incidents of the boating activity described in this petition, and feels the issues brought up can be solved by actively working with landowners, educating boaters and by conducting enhanced enforcement patrols in the area.

Chairman Vermillion asked how this petition and the prior petition differentiate; seems like they are similar.

Captain Ron Howell, Region 6 Enforcement explained the only difference is the amount of use and what the wardens are seeing in the field; no documented incidents in this area; can address the problems with the laws that are in place already.

Jim Bowker, Petitioner, explained his reasoning for the petition; not much different from the Duck Creek petition; buoying the 200-foot area would help the problem.

Chairman Vermillion, Mark Sullivan, Region 6 Supervisor, Becky Dockter, Chief Legal Counsel and Howell discussed the 200-foot no-wake rule.

Chairman Vermillion and Sullivan discussed different ideas the Department can do to address the concerns within the petition.

Action: Commissioner Wolfe moved and Vice-Chairman Stuker seconded the motion that the Commission initiate rulemaking on the petition submitted by Jim Bowker requesting an administrative rule regarding limiting the Bay of Park Grove to a no-wake zone 75-feet out from the shoreline.

Commissioner Wolfe stated he appreciates the Region 6 position on the petition; initiating rulemaking and soliciting for public comment will give the Department and Commission an idea of how much support there is for this restriction.

Vice-Chairman Stuker asked why are there different rules for western and eastern Montana; why can't the rule be the same for the whole state.

Dockter stated she has to research and find out why there is a difference; will report back to the Commission at a later date.

Chairman Vermillion asked for public comment.

Captain Lee Anderson, Region 1 Enforcement explained in 2001 the Department was receiving an influx of petitions for western Montana; the Commission adopted the 200-foot no-wake zone to try and limit the number of petitions.

Chairman Vermillion stated this is the first set of petitions he remembers for east of the Rockies; population is changing in Montana.

Bower stated the 200-feet is an existing law for statewide personal watercraft; majority of the violators are personal watercraft; not inhibiting on anybody's liberty, just being informed.

Tim Jennings, Fort Peck, not enough wardens to cover all areas; willing to buy buoys; most boaters do not want to harm anyone or property, just don't know any better; need to nip it in the bud before it gets worse.

Action on Motion: Motion passed.

13. Fleece Wildlife Management Area Addition (R3) – Endorsement

Ken McDonald, Wildlife Administrator explained the Department proposes to purchase for a fee title acquisition for approximately 200-acre addition to the Fleece Wildlife Management Area (WMA). The Fleece WMA addition property offers many qualities that are important to the WMA and associated habitats: Shares two miles of boundary with Fleece WMA and provides additional winter range to more than 800 elk and 150 antelope; long-billed curlew and sandhill cranes have been documented nesting on the property; all water and mineral rights would transfer with the property; the property has about 100 acres of uplands that are prime for development if it remained in private ownership; the addition would increase public access for hunting (white-tailed deer in the riparian, plus elk and antelope), angling, bird-watching, and photography; the parcel includes about 70 acres of irrigated hayfields that would be managed to the benefit of wildlife; approximately 100 acres of wetland on the property, associated with Divide Creek, is encumbered by a perpetual conservation easement (CE) with USDA Natural Resources Conservation Service Wetland Reserve Program. Upon endorsement, an environmental analysis (EA)

would be conducted. Pitman-Robertson dollars matched with non-federal dollars would be used for the acquisition. Acquisition would be contingent upon legislative authority to proceed; was not approved prior to the last legislative session.

Director Hagener stated if authority is not returned to the Department this next session, this acquisition would not move forward.

Chairman Vermillion and McDonald discussed Habit Montana funds.

Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Fish and Wildlife Commission endorse this addition to Fleecer WMA, allowing FWP to proceed with further negotiations, evaluations, due diligence, and public review.

Chairman Vermillion asked for public comment.

Nick Gevok, Montana Wildlife Federation (MWF), supports project; working with a broad coalition for the Department to regain authority.

Action on Motion: Motion passed.

14. Lost River Wildlife Management Area Addition (R6) – Final

Ken McDonald, Wildlife Administrator explained FWP proposes a fee-title purchase of approximately 640 acres of property adjacent to the Lost River WMA in Hill County; the property would be managed to conserve the native habitats and wildlife populations present, substantially improve public and administrative accessibility to west portion of the WMA as well as surrounding public lands and help with conserving native habitats associated with the Milk River, managing the WMA, and providing user access to the WMA and other public lands; the appraised value for this property is \$700,000. A public scoping period was held from May 26, 2016 through June 25th, 2016; a draft EA was released on August 18; public comment ran through September 16; a public informational meeting was held in Havre on September 8, with 29 people in attendance; the EA was available for public review on the FWP website and public notices were placed in the Great Falls Tribune and Havre Daily News; notifications were mailed to neighboring landowners and interested parties; 38 comments were received; 28 in support, 9 opposed, 1 neutral. If no action is taken, the acquisition of this parcel by FWP would not occur and would remain under current private ownership and management, and could be sold to another private landowner; native habitats on the property would not be protected; public accessibility to the west portion of the WMA would remain a challenge. If approved, FWP would proceed with the acquisition process with the intent of purchasing this 640-acre parcel. The parcel would be added to and managed as part of the Lost River WMA. FWP ownership would not affect current tax revenues paid to Hill County on this property and would pay a sum equal to the amount of taxes which would be payable were it owned by a private citizen. No Montana general fund tax dollars will be spent; the purchase will be funded with money generated from hunting license sales designated for securing wildlife habitat by Habitat Montana HB 526.

Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Fish and Wildlife Commission approve this fee-title acquisition as an addition to the Lost River Wildlife Management Area.

Chairman Vermillion asked for public comment.

Nick Gevok, MWF, great addition, improves access and joins public lands; strongly supports acquisition.

Chairman Vermillion stated the majority of the land along the Milk River is private ownership; recreational opportunities and access for hunters along the Milk River in north-central Montana have decreased in recent years; this parcel is located adjacent to the Lost River WMA in a large block of public land (EA page 4). Commends the Department for working through the controversy and finishing the project.

Vice-Chairman Stuker stated he strongly supports this purchase; vital to WMA management. Commenters at the meeting held in Havre stated the Department is not taking care of the property they own now (ie: weed management); need to do a better job with keeping the weeds down and being a better neighbor; local county commissioner stated this area is full of Canadian thistle.

McDonald stated the good neighbor policy and weed management is a high priority with the Department.

Director Hagener stated he credits Vice-Chairman Stuker; spent a lot of time interacting with various people to pacify their concerns.

Action on Motion: Motion passed.

15. Bighorn Sheep Health Presentation – Informational

Dr. Jennifer Ramsey, FWP Veterinarian, gave a lengthy presentation on the health of Montana Bighorn Sheep. (see copy of presentation in the November 17, 2016 Commission file).

16. Bighorn Sheep Transfer (From HD 482, Missouri Breaks to the south of the Beartooth Wildlife Management Area) (R4) – Endorsement

John Vore, FWP Game Management Bureau Chief explained trapping and moving bighorn sheep is often used to reduce numbers for population control and to reintroduce new populations or augment existing ones. Such projects require Commission endorsement, and

monies are available from auction licenses. Management actions and associated process are consistent with the Montana Bighorn Sheep Conservation Strategy. FWP proposes to trap 30-45 bighorn sheep from the Missouri Breaks in Hunting District (HD) 482 and move them to the Sheep Creek/Beartooth WMA area in HD 455. The two proposed release sites: Sheep Creek, where 21 bighorns from HD 482 were released in December 2014, and the Beartooth WMA. All animals would get a general health assessment and be sampled for a more intensive health and disease profile. The transfer is to reduce numbers in HD 482, which is over population objective and at risk of a density-related disease outbreak. The objective for HD 482 is between 292-358, and in July, 417 were counted. Increased ewe licenses have not resulted in enough harvest to effectively reduce the population, access to areas is often difficult, and hunters are generally less motivated to harvest an ewe than they are for a ram. There is always a risk of moving disease along with the sheep, but options are limited. If endorsed, no extended public comment period will be solicited; comments can be taken at today's meeting.

Action: *Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Fish and Wildlife Commission endorse moving bighorn sheep from the Missouri River Breaks in hunting district 482 to the Sheep Creek/Beartooth WMA area in hunting district 455.*

Chairman Vermillion asked for public comment.

Mary Ellen Schnur, Townsend, asked what the status of the sheep are that were moved from HD 482 to HD 455 two years ago.

Gary Bertellotti, Region 4 Supervisor stated herd is doing well; saw initial mortality due to predation; herd has started to reproduce.

Action on Motion: *Motion passed.*

17. Public Comment – For Issues Not On This Agenda and Adjournment

Jim Homison, Region 4 CAC member, stated he does not represent any special interest groups others than anglers and outdoor recreationists at large. Since last summer, he has been involved in the efforts to help shape the future of the angling and recreation opportunities after the Ackley Lake lease with Montana DNRC was terminated by the Parks Division; trying to be a catalyst along with over 1000 petitioners from around the state; recommends the Commission propose and adopt a motion, to engage the Parks Board with the goal of transferring the free DNRC lease from the Parks Division to the FAS program; the Parks Division lease from DNRC has been extended through 2017 to allow time for an alternative solution; the wheels of government agencies can turn at a painfully slow pace; hoping this can be resolved in the upcoming calendar year.

Mary Ellen Schnur, Townsend, would like the kill site hunting regulations be updated and utilized consistently; additional language in the regulations should include: "As a condition in Montana, if requested to do so by a FWP warden, you are required to return to the kill site within 10 days of harvest. At the time you check an animal into a FWP office or check station, you may request that a warden accompany you or a designated member of the hunting party to the kill site within 10 days of harvest." This practice will help confirm accuracy and precision; will save thousands of sportsmen's dollars.

Action: *Vice-Chairman Stuker moved and Chairman Vermillion seconded the motion to adjourn the meeting. Motion Passed.*

The meeting adjourned 11:23 a.m.



Dan Vermillion, Chairman



M. Jeff Hagener, Director